

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

GAYLE BISHOP,

No. C 01-4255 SBA

Petitioner,

**ORDER**

v.

THE CONTRA COSTA SUPERIOR COURT  
AND ATTORNEY GENERAL OF THE STATE  
OF CALIFORNIA,

Respondents.

---

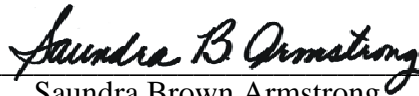
On April 24, 2007, the Court notified the parties that unless the State of California either: (1) advises this Court that it would re-try petitioner Gayle Bishop on Count 10 of the information against her (the perjury charge), or (2) move for re-sentencing to exclude that perjury conviction, within thirty days, the Court would grant Bishop's petition for habeas corpus with respect to Count 10. *See* Docket No. 26. The respondents have not indicated that they seek to do either.

Accordingly, the Court GRANTS the writ of habeas corpus with respect to that conviction.

The Clerk of Court shall send copies of this Order to the petitioner, counsel for the petitioner, the respondents, and counsel for the respondents. The Clerk of Court is also instructed to close the case file.

IT IS SO ORDERED.

June 6, 2007

  
Saundra Brown Armstrong  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

BISHOP,

Plaintiff,

v.

CONTRA COSTA SUPERIOR COURT et al,

Defendant.

Case Number: CV01-04255 SBA

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on June 7, 2007, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Donald M. Horgan  
523 Octavia Street  
San Francisco, CA 94102

Dylan L. Schaffer  
523 Octavia Street  
San Francisco, CA 94102

Dated: June 7, 2007

Richard W. Wieking, Clerk  
By: LISA R CLARK, Deputy Clerk